

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JAMES JEMISON, JR., )  
Petitioner, )  
v. ) Civil Action No. 2:08cv714-WHA  
United States of America, ) (WO)  
Respondent. )

**O R D E R**

The petitioner has filed a motion requesting that this court stay the proceedings on his motion filed pursuant to 28 U.S.C. § 2255 pending a determination of his motion for a reduction of sentence under 18 U.S.C. § 3582(c)(2) based on the amended crack cocaine sentencing guidelines. (Doc. No. 20.) The government has indicated that it does not oppose the petitioner's motion to stay the proceedings on his § 2255 motion. (Doc. No. 21.)

Accordingly, and for good cause, it is ORDERED as follows:

1. The petitioner's motion to stay the proceedings on his § 2255 motion (Doc. No. 20) is GRANTED and this court's determination of the issues presented in the § 2255 motion is held in abeyance.
2. The government shall file with this court a report on the status of the petitioner's criminal case and his motion for reduction of sentence under 18 U.S.C. § 3582(c)(2),

beginning February 2, 2009, and every 30 days thereafter.

Done this 22<sup>nd</sup> day of January, 2009.

/s/Charles S. Coody  
CHARLES S. COODY  
UNITED STATES MAGISTRATE JUDGE